

# Staff Summary Report



Hearing Officer Hearing Date: October 7, 2008

Agenda Item Number: 10

**SUBJECT:** This is a public hearing for a request by **TIEDEMANN AUTO SALES (PL080342)** located at 625 South Smith Road, Suite No. 31, for one (1) use permit.

**DOCUMENT NAME:** 20081007dsng01

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Hold a public hearing for a request by **TIEDEMANN AUTO SALES (PL080342)** (Anthony Tiedemann, applicant; Cal-Eaton Properties, property owner) located at 625 South Smith Road, Suite No. 31 in the GID, General Industrial District for:

**ZUP08150** Use permit to allow auto sales in the General Industrial District.

**PREPARED BY:** Nick Graves, Planning Intern (480-350-8690)

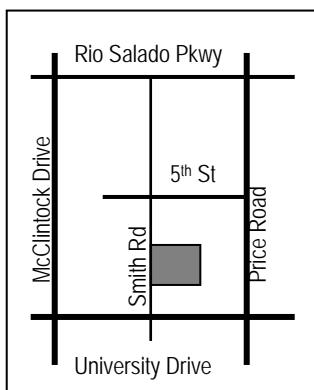
**REVIEWED BY:** Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval subject to Conditions

**ADDITIONAL INFO:** The applicant is requesting a use permit to allow auto sales in the General Industrial District at 625 South Smith Road, Suite No. 31. The vehicle sales are mostly conducted via the internet and there will not be a "car lot" attached to the operation. To date, staff has received no public input regarding this request. Staff recommends approval of the proposal as submitted, with conditions.



**PAGES:**

1. List of Attachments
2. Comments; Reasons for Approval
3. Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference

**ATTACHMENTS:**

1. Location Map
2. Aerial Photo
3. Letter of Intent
4. Site plan/Floor Plan for Entire Building
5. Site Plan
6. Detailed Site Plan
7. Floor Plan
8. Elevation
9. Staff Photograph

## COMMENTS:

The applicant is requesting a use permit to allow auto sales in the General Industrial District at 625 South Smith Road, Suite No. 31. The vehicle sales are conducted via the internet and there will not be a "car lot" attached to the operation. The business is located at the southeast corner of a large industrial building on the east side of Smith Road, north of University Drive in an industrial neighborhood. The surrounding properties are also zoned GID, General Industrial District.

Tiedemann Auto Sales' office hours are Monday through Sunday from 9:00 AM to 8:00 PM. The work will be carried out by two (2) employees. Vehicles may be parked outside in leased parking spaces during appointments and to move cars around to do maintenance work in the warehouse, but will be mainly stored inside the warehouse when the office is closed. There are eight (8) leased parking spaces for Tiedemann Auto Sales just east of their tenant space along the east property line.

To date, staff has received no public input regarding this request.

## Use Permit

The Zoning and Development Code requires a use permit for indoor and outdoor vehicle sales and outdoor display within the GID, General Industrial District. This use permit request meets all applicable tests in the following manner:

Evaluating the use permit, the proposal appears to pass the use permit test listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
  - There should be no significant increase in vehicular or pedestrian traffic in adjacent areas. The applicant has stated in the letter of explanation that the retail sale of the used cars will be at about 15 cars sold per month. This volume of sales will not create an excess of traffic.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
  - This use, with conditions, should not create nuisances within this industrially zoned area.
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan;
  - The proposed development would not contribute to neighborhood deterioration or downgrade property values. This use permit request is consistent with the General Plan 2030's Land Use Element. The requested use permit will not be detrimental to the surrounding area, but will further the General Plan Land Use Element Goals and Strategies.
- d. Compatibility with existing surrounding structures and uses;
  - The proposed use appears to be compatible with surrounding uses.

## Conclusion

Staff recommends approval of the use permit with conditions.

## REASONS FOR APPROVAL:

1. There should be no significant increase in vehicular or pedestrian traffic in adjacent areas.
2. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
3. The use appears to be compatible with the site and adjacent property.

**SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.**

**CONDITIONS  
OF APPROVAL:**

1. This use permit is valid for "Tiedemann Auto Sales" and may be transferable. Should the business be sold, the new owners must contact the Board of Adjustment/Hearing Officer staff for review of the business operations.
2. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.
3. The use permit is valid for the plans reviewed and approved by the Hearing Officer.
4. The display of the vehicles shall not be located in public right of way or landscape areas.
5. All business signs shall require a sign permit. Please contact staff at (480) 350-8331 for all sign permitting application and questions.
6. Provide a full cut-off light fixture above garage bay door.

**HISTORY & FACTS:**

May 6, 2003                      BA030079 – The Hearing Officer approved a use permit request to sell used cars located at 640 South Smith Road in the I-1, Light Industrial District.

June 3, 2008                      ZUP08084 – The Hearing Officer approved a use permit request to allow internet car sales located at 2140 East 5<sup>th</sup> Street in the GID, General Industrial District.

**DESCRIPTION:**

Owner – Cal-Eaton Properties  
Applicant – Anthony Tiedemann  
Existing Zoning – GID, General Industrial District  
Total Building Area – 41,325 s.f.  
Tenant Area – 1,440 s.f.  
Total Parking Required by Tenant – 4 spaces  
Total Parking Provided by Tenant – 8 spaces

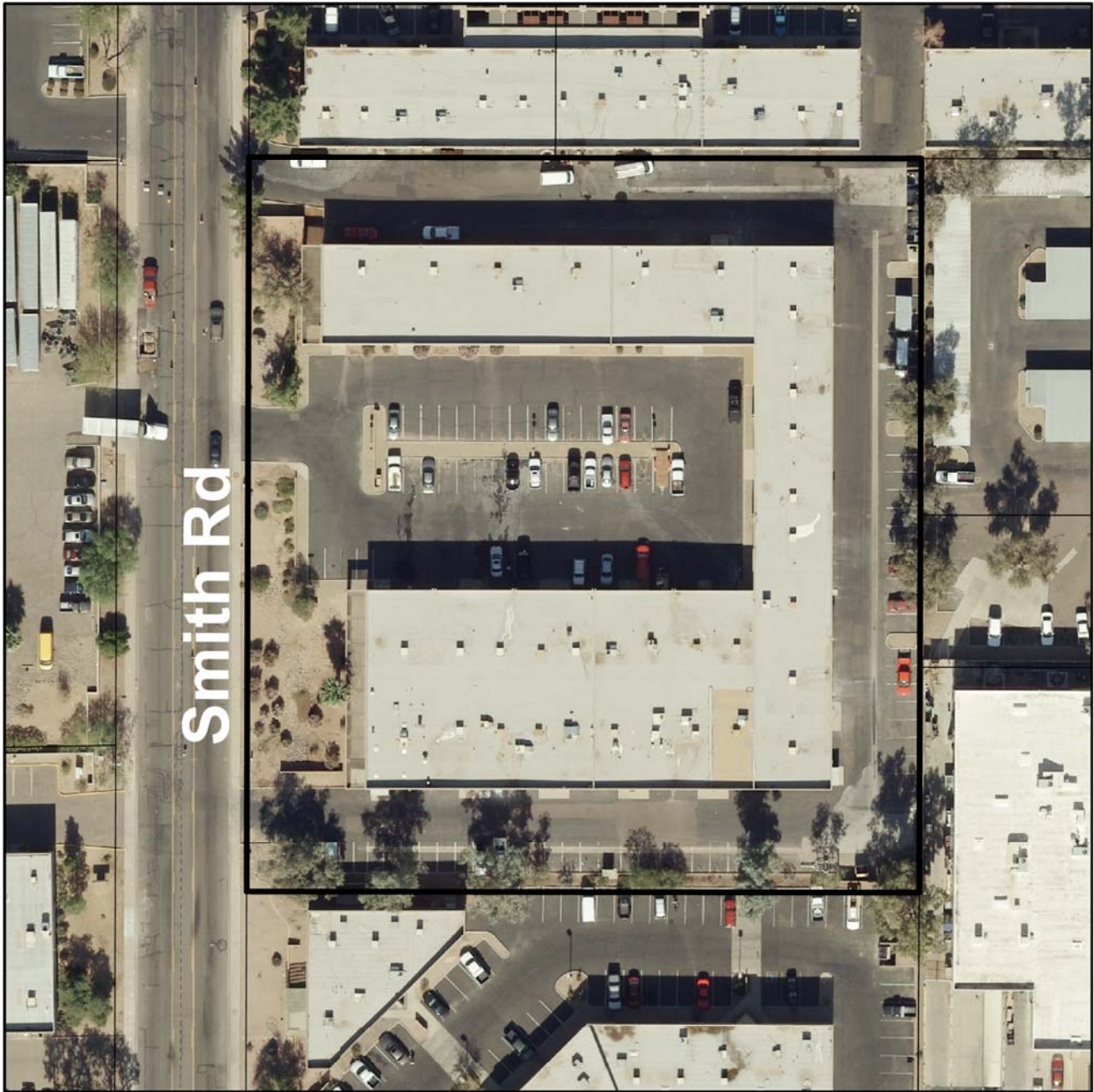
**ZONING AND  
DEVELOPMENT**

**CODE REFERENCE:**

Part 3, Chapter 3, Section 3-302 – Permitted Uses in Office/Industrial Districts

Part 6, Chapter 3, Section 6-308 – Use Permit





**TIEDEMANN AUTO SALES (PL080342)**

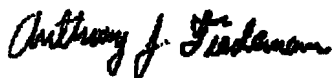
## LETTER OF EXPLANATION

Tiedemann Globe Inc., DBA Tiedemann Auto Sales  
1411 S. 47<sup>th</sup> Ave., Suite 110  
Phoenix, AZ 85043

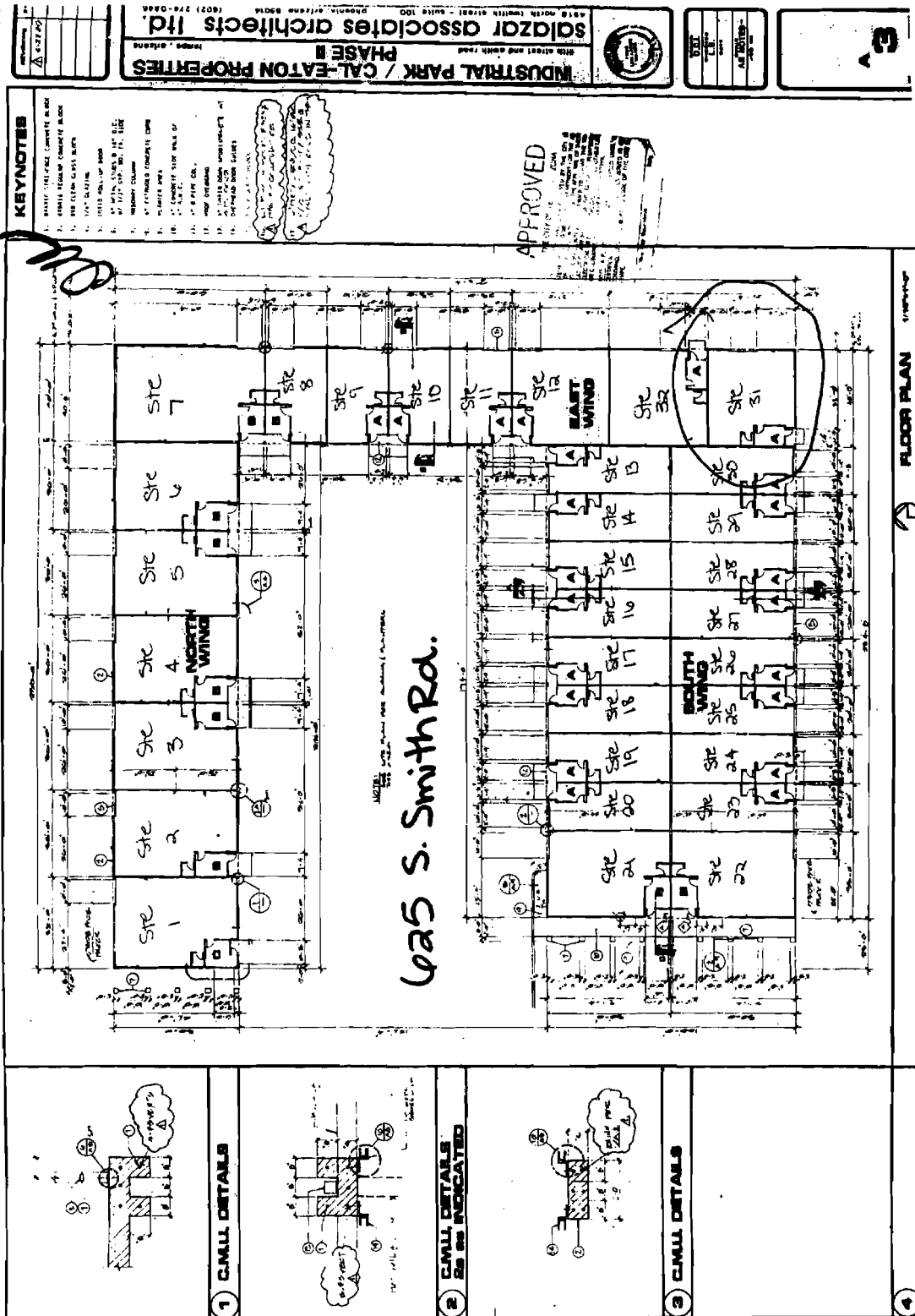
To whom it may concern:

Tiedemann Globe Inc., DBA Tiedemann Auto Sales, a used motor vehicle dealership, would like to locate a business at the address 625 S. Smith Rd, Suite 31, Tempe, AZ 85281-2936. This location will be used for the sale of used cars and their preparation for sale. All work will be carried out within the building and to our designated parking spaces. The work will be carried out by 2 employees. The hours of operation will be Monday through Sunday, 9:00 am to 8:00 pm. All mechanical and cleaning preparation will be conducted inside the building as not to disturb or disrupt the surroundings. The retail sale of the used cars will be at about 15 cars sold per month. Due to this volume of sales there will not be an excess of vehicular or pedestrian traffic to or from the location that would not be the norm for the area. The nature of the retail sale of motor vehicles is professional and quiet, as to present our products in the best light possible to our clients. With this in mind it would be anti productive to create any nuisance or distributive behavior that would deteriorate the neighborhood or create an atmosphere incongruent with the goals, objectives and policies of the City.

Sincerely,

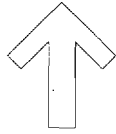


Anthony Tiedemann  
President  
Tiedemann Globe Inc., DBA Tiedemann Auto Sales  
1411 S. 47<sup>th</sup> Ave., Suite 110  
Phoenix, AZ 85043





**Site Plan**  
**Use Permit for Tiedemann Auto Sales**  
**Existing Zoning: GID**

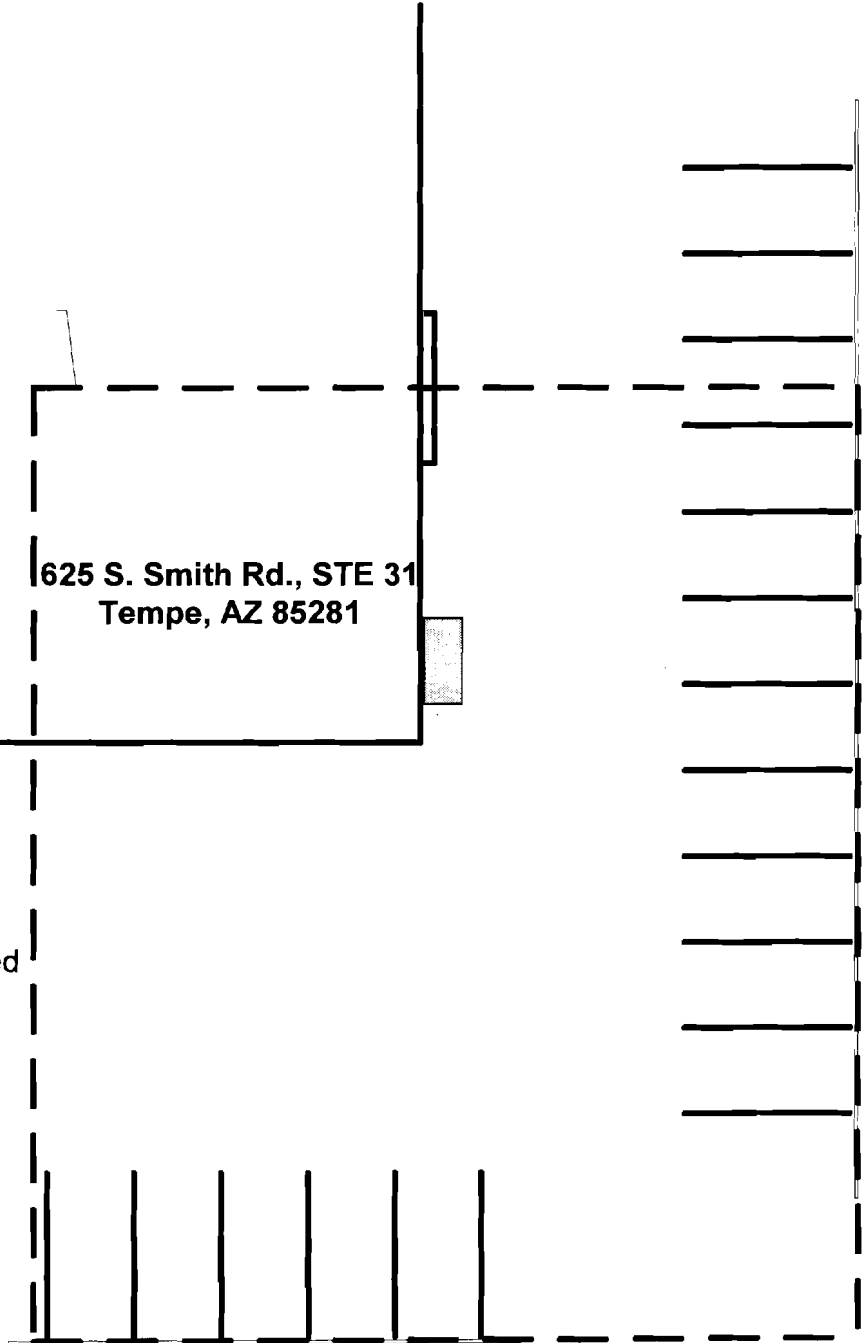


**NORTH**  
**SCALE 1" = 20'**

Area to be Used

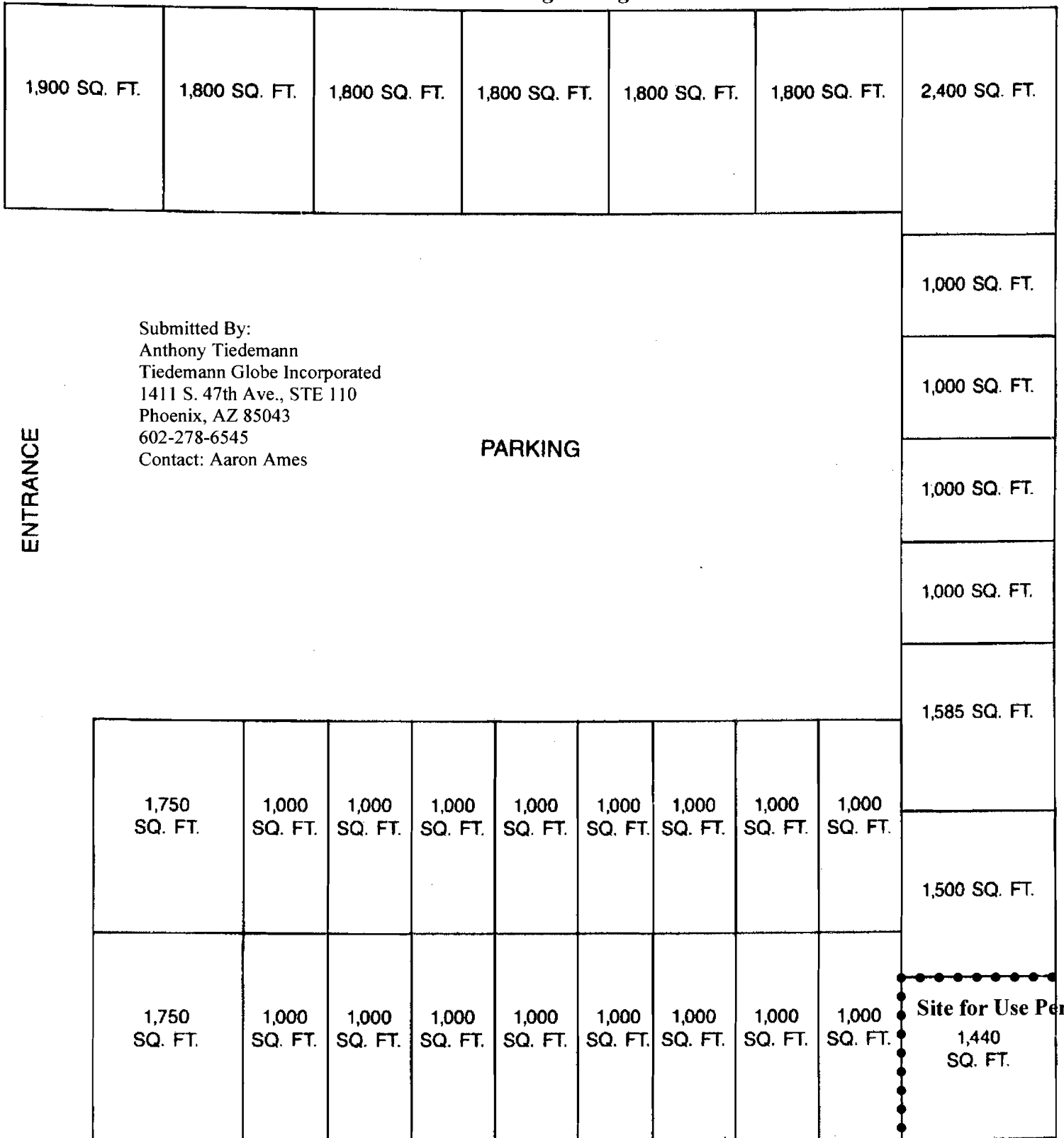
Submitted By:  
Anthony Tiedemann  
Tiedemann Globe Incorporated  
1411 S. 47th Ave., STE 110  
Phoenix, AZ 85043  
602-278-6545  
Contact: Aaron Ames

625 S. Smith Rd., STE 31  
Tempe, AZ 85281



EXISTING PHASE ONE

Site Plan  
Use Permit for Tiedemann Auto Sales  
Existing Zoning: GID



SMITH ROAD

ENTRANCE

PARKING



PARKING

2

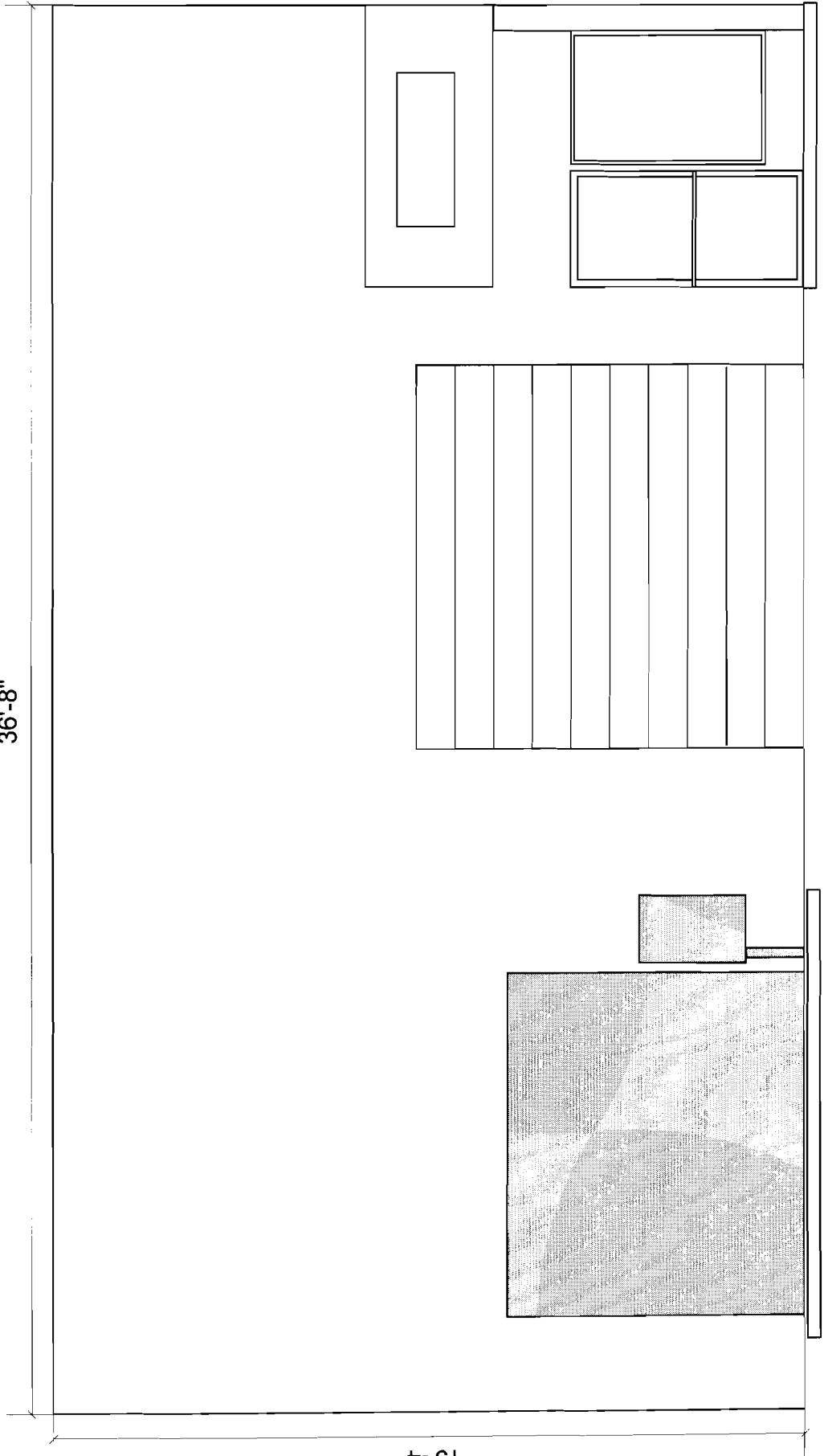
625 S. Smith  
Rd., STE 31  
Tempe, AZ  
85281

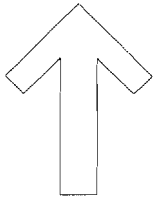
# ELEVATION

EXTERIOR MATERIALS: BLOCK

SCALE 1/4" = 1'

36'-8"

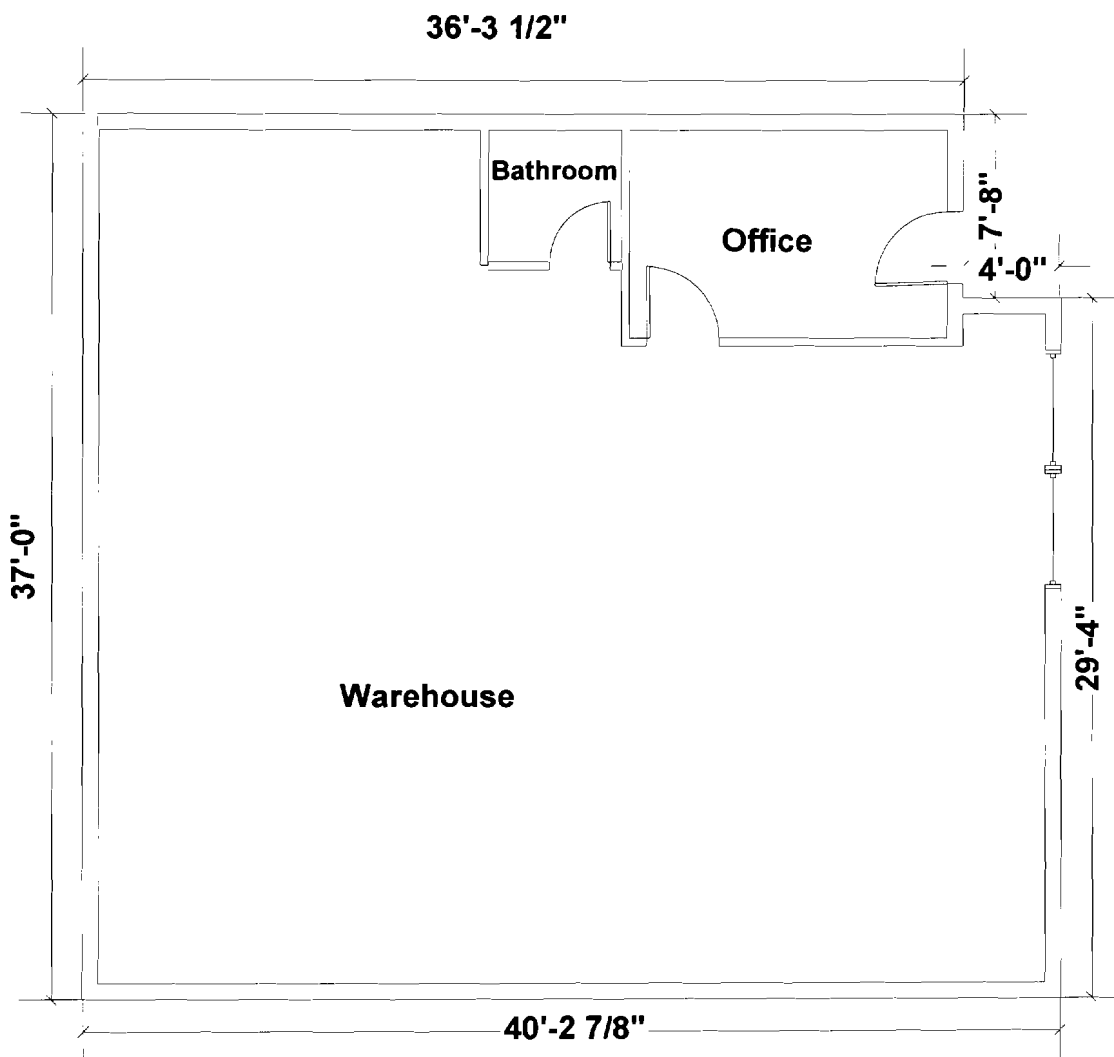




**NORTH**

# FLOOR PLAN

**SCALE 1/8" = 1'**





**TIEDEMANN AUTO SALES**

**625 SOUTH SMITH ROAD, SUITE NO. 31**

**PL080342**

**FRONT OF BUSINESS**